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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,033	01/10/2001	Nobuhiro Komata	SCEI 17.966	8282

7590

06/09/2003

Helfgott & Karas, P.C.  
60th Floor  
Empire State Building  
New York, NY 10118-6098

EXAMINER

DHARIA, PRABODH M

ART UNIT

PAPER NUMBER

2673

DATE MAILED: 06/09/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

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Technology Center 2600

# Notice of Abandonment

Application No.

09/758,033

Examiner

Prabodh M Dharja

Applicant(s)

KOMATA, NOBUHIRO

Art Unit


2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 15 October 2002.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

Applicant's attorney notified that for failure to timely file a proper reply to the office letter mailed on 10-15-2002, the application number 09758033 is abandoned and suggested to review MPEP 711.03(C) for further option

  
DIPIN CHAKRABORTY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER, 100

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

<b>Interview Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/758,033		KOMATA, NOBUHIRO	
	<b>Examiner</b>		<b>Art Unit</b>	
	Prabodh M Dharja		2673	

All participants (applicant, applicant's representative, PTO personnel):

(1) Prabodh M Dharja.

(3)\_\_\_\_\_.

(2) Linda Getraer.

(4)\_\_\_\_\_.

Date of Interview: 05 June 2003.

Type: a)☒ Telephonic b)☐ Video Conference  
c)☐ Personal [copy given to: 1)☐ applicant 2)☒ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☒ No.  
If Yes, brief description: None.

Claim(s) discussed: None.


Identification of prior art discussed: None.

Agreement with respect to the claims f)☒ was reached. g)☐ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's attorney notified that for failure to timely file a proper reply to the office letter mailed on 10-15-2002, the application number 09758033 is abandoned and suggested to review MPEP 711.03(C) for further option.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
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